

**Middlesex Borough Planning Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
June 8, 2016**

1. Call to Order

Chairperson Galida called the meeting to order at 7:34p.m.

2 .Open Public Meeting Act Statement

Chairperson Galida read the Open Public Meeting Act statement.

3. Call to Order

Upon voice count the following members were present- Andy Galida, Jim Green, John Sweeney, John Anello, Mayor DiMura, Paul Woska and Frank Ryan.

Also in attendance were: Board Attorney, Ms. Joan Dowling
Board Planner, Mr. Paul Ricci
Board Engineer, Bob Bucco Jr.

5. Minutes

Member Sweeney made a motion to approve May 25, 2016 meeting minutes, seconded by Member Anello. Vote: Chairperson Galida-yes, Member Green-yes, Member Sweeney-yes, Member Anello-yes, Mayor DiMura-abstain, Member Woska-yes, Member Ryan-yes. Motion passed.

6. Old Business

**P2016-02
RayIn Realty
30 Baekeland Ave/10 Baekeland Ave
Block 361 Lot 3 and 363.01 Lot 1**

Memorialize Resolution

Member Sweeney made a motion to approve the Resolution with conditions,seconded by Member Green. Vote: Chairperson Galida-yes, Member Green-yes, Member Sweeney-yes, Member Anello-yes,Mayor DiMura-abstain, Member Woska-yes, Member Ryan-yes. Motion passed

7. New Business

**P2016-04
Quick Chek
107 Harris Ave/440 Union Ave**

Preliminary and Final Site Plan

Block 173 Lot 1 and 1.02

John Marmora stated that he is representing Quick Chek.

Mr. Marmora stated that Quick Chek needs minor bulk variance approvals.

Member Anello stated for the record that a member of his family received notice of the hearing tonight and wanted Quick Chek to know in case they thought it was a conflict.

Quick Chek did not feel that this was a conflict.

Ms. Dowling duly swore in Bob Vallario, 3 Old Highway 28, Whitehouse Station NJ.

Mr. Vallario stated that he has worked for Quick Chek since 2001 and is the Real Estate Manager.

He stated that the Middlesex location has been operational since 1988.

Quick Chek has 12 employees currently and with the fuel sales then there would be 18 employees.

Mr. Vallario informed the Planning Board of the charitable contributions made throughout the State of New Jersey.

Mr. Vallario stated that the only difference would be the fuel deliveries.

Quick Chek would be merging the lots 1 and 1.02 of Block 173.

Chairperson Galida opened the meeting to the public for questions for Mr. Vallario, there being none the meeting continued.

Mr. Marmora entered:

- Exhibit A1- Overall color aerial view of the property
- Exhibit A2—Overall color site plan showing site layout
- Exhibit A3- Color proposed photo of the subject property
- Exhibit A4- Color photo showing the existing conditions of the property
- Exhibit A5- Color proposed photo showing the intersection of the property
- Exhibit A6 – Color photo showing the existing condition of intersection
- Exhibit A7 – Color photo showing the proposed façade of Quick Chek Building
- Exhibit A8- Color photo showing the existing façade of Quick Chek Building

Ms. Dowling duly swore in Bob Streker, Bohler Engineering 35 Technology Dr., Warren NJ.

Mr. Streker stated his education and credentials.

The Board accepted Mr. Streker as an expert witness.

Mr. Streker referenced Exhibit A1 (Aerial View) stating:

- the property is located in the GB zone,
- Lot 1(Quick Chek) is .48 acres
- Lot 1.02(Delta) is .32 acres
- The corner is outlined in yellow
- North is Wells Fargo Bank,
- East is Gallina Plaza
- South is residential property
- Lot 1(Quick Chek) is 3,300 sq. ft with 19 parking spaces and has a cross access with Gallina Plaza
- Lot 1.02(Delta) is 1,504 sq ft and has 8 parking spaces and once was a gas station

Mr. Streker stated that the current Quick Chek store will remain and the Delta Cleaners will be removed and replaced with the gas sales for Quick Chek.

Mr. Streker used Exhibit A2 to show; the proposed landscaping, the fuel canopy area, showing that the setback requirements, the 24 parking spaces (where 21 is required), the 2 driveways (one driveway being removed and replaced away from the intersection).

Mr. Streker stated that the plan complies with NJ DOT(Department of Transportation) codes.

Mr. Streker explained the circulation and the size of the parking spaces on the site.

Mr. Streker explained the fuel delivery circulation using sheet 18 of site plan dated 5/13/16.

Mr. Streker explained the emergency vehicle travel patterns using sheet 20 of site plan dated 5/13/16.

Mr. Streker used Exhibit A2 to show the sidewalk on the northeast side of the property and pedestrian access to the site.

Mr. Streker used Exhibit A2 to show the ancillary structures; the trash enclosure with 6ft vinyl fence.

Mr. Streker explained that there will be a new trash enclosure and masonry maintenance shed to hold the fuel monitoring equipment. This will require a setback variance; 6ft is required and 2.5ft is proposed.

Chairperson Galida questioned if Quick Chek had considered an addition.

Mr. Streker explained why an addition would not be considered.

The Board discussed the trash enclosure and the masonry maintenance shed.

Mr. Ricci questioned the height of the enclosure.

Mr. Streker stated that it would be 8ft tall.

Member Anello questioned the location of the sidewalk and the hours of refueling the tanks on the site.

Mr. Streker explained the sidewalk layout and the refueling of the tanks on the site showing the route a tanker would take on the site.

Mr. Streker will correct the plans to show the refueling and also stated that the site is not intended for tractor trailers only passenger vehicles.

Mr. Streker stated that there will be one diesel stand and four gas stands.

Member Anello questioned the flow amount on the diesel stand.

Mr. Streker explained the storm water system and that it would be inspected every six months.

Board Members asked for a detail explanation of the storm water system.

Mr. Streker used sheet 15 of the site plan to explain the system.

Mr. Bucco stated that the applicant did address his concerns and any components must be inspected four times annually.

Mr. Streker explained the LED Lighting on the site and the canopy.

Member Anello stated his concerns for the residents on Harris Ave and Union Ave near the site.

Mr. Ricci stated that there are dimmable fixtures that can be used.

Mr. Streker used sheet 8 of the site plan to show the lighting plan.

The Board and the applicant discussed the need for safety and the concerns of the Board with the residential properties being close to a site that would be open 24/7.

The Board agreed to continue with the application and would return to discuss the lighting issues.

Mr. Streker used Exhibit A3 to show the proposed landscaping on the site; 2 large trees to be maintained, 214 new plants, 3 shade trees, 15 trees to be removed (area in between the dry cleaner and Quick Chek lot), there would be an irrigation system with a backflow preventer.

The Board and applicant discussed the shortage of the replacement trees and differed to the Zoning Officer to determine the amount that would need to be contributed to the tree replacement fund.

Mr. Streker used Exhibit A3; to show the brick wrapped columns under the canopy for the fuel sales, and showed the size of the writing of Quick Chek on the canopy.

Mr. Streker used Exhibit A2 to show the three sides of the canopy that would be illuminated on the canopy.

Mr. Streker used Exhibit A7 to show the size of the Quick Chek writing on the building façade.

The Board and applicant discussed the size of the area allowed to have signage.

Mr. Streker used Exhibit A5 to show the intersection with a free standing sign.

The Board discussed the signage and the applicant will comply with the code.

Member Anello questioned the size of the driveway signs.

The driveways signs will be 1ft x 3ft.

Chairperson Galida questioned if the stockade fence in between Wells Fargo and Quick Chek was owned by Quick Chek.

The Board was informed that the fence was not owned by Quick Chek.

Member Sweeney confirmed that the 2 maple trees at the corner will remain.

Member Anello questioned if the driveway with the design waivers still met NJ DOT standards and the purpose of the center island on the site.

Mr. Streker explained the purpose of the center island and that Quick Chek has already submitted to NJ DOT for a permit.

The Board reviewed the Najarian Engineering Letter dated June 3, 2016.

The Board questioned the monitoring wells on the site and asked if there was a No Further Action Letter.

Quick Chek will make sure that there are no environmental issues before purchasing the property.

The Board discussed having designated employee parking spaces with the applicant.

The Board agreed with the applicant to not have designated employee parking and to monitor the site.

The Board reviewed the design waivers on page 5 of the Najarian report.

Mayor DiMura made a motion to grant design waiver for off street parking Ordinance 248-17 B(3),seconded by Member Anello. Vote: Chairperson Galida-yes, Member Green-yes, Member Sweeney-yes, Member Anello-yes, Mayor DiMura-yes, Member Woska-not present, Member Ryan-yes. Motion passed.

Member Anello made a motion to grant design waiver for Section 248-17 B(8) subject to NJDOT approval, seconded by Mayor DiMura. Vote: Chairperson Galida-yes, Member Green-yes, Member Sweeney-yes, Member Anello-yes, Mayor DiMura-yes, Member Woska- not present, Member Ryan-yes. Motion passed.

Member Anello made a motion to grant design waiver for Section 248-17 B(22)(a),seconded by Member Sweeney. Vote: Chairperson Galida-yes, Member Green-yes, Member Sweeney-yes, Member Anello-yes, Mayor DiMura-yes, Member Woska-yes, Member Ryan-yes. Motion passed.

Member Sweeney made a motion to grant design waiver for Section 248-17 B (23) (d),seconded by Mayor DiMura. Vote: Chairperson Galida-yes, Member Green-yes, Member Sweeney-yes, Member Anello-yes, Mayor DiMura-yes, Member Woska-yes, Member Ryan-yes. Motion passed.

Member Anello made a motion to grant design waiver 354-4 (B), seconded by Member Sweeney. Vote: Chairperson Galida-yes, Member Green-yes, Member Sweeney-yes, Member Anello-yes, Mayor DiMura-yes, Member Woska-yes, Member Ryan-yes. Motion passed.

The Board reviewed the Engineering comment regarding replacement trees, the applicant will comply. The Zoning Officer will make the determination of the amount due to the Tree Replacement Fund.

Chairperson Galida opened the meeting to the public.

Steve Anello, 26 Harris Ave. had concerns with:

- the garbage in the area on the north side of the property
- he stated that dimmable lights are available

- the unloading/loading area is not being used the way they think it is
- garbage is an issue and also had concerns because there are not recycling containers on the site
- concerned with the impact on the environment and air quality.

Quick Chek will need to obtain air quality permit from the State.

Mr. Anello questioned if this was DPCC site and how many gallons of fuel are in the three tanks.

Quick Chek stated that there is 52,000 gallons and spill prevention is reviewed by the State.

Chairperson Galida stated that there would be a 10 minute break starting at 10:06pm.
Vote: All in favor.

Upon return from break, roll call was taken with all members present.

Chairperson Galida announced that the meeting would be adjourned to June 22, 2016.

Mayor DiMura made a motion to adjourn the application to June 22, 2016, seconded by Member Anello. Vote: All in favor.

The Board confirmed that the applicant will revise the sign, revise the exhibit with fueling truck, research dimmable lights, have the sidewalk delineated, increase the height of the landscaping to prevent the headlights from cars shining into residential areas.

8. Correspondence

There was no correspondence at this time.

9. Board Member Comments

Member Anello inquired about the LED Lighting Ordinance being reviewed by the Governing Body.

Chairperson Galida opened the meeting to the public, there being no public he closed the public portion of the meeting.

Chairperson Galida announced the next meeting will be on June 22, 2016.

There being no further business Mayor DiMura made a motion to adjourn the meeting at 10:20pm, seconded by Member Anello. Vote: All in favor. Meeting adjourned.

Secretary

Karen Wick, Board Clerk